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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/584,855

10/06/2006

Pascal Guidetti

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466 7590 11/13/2009
YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

EXAMINER

COGILL, JOHN M

ART UNIT

PAPER NUMBER

3782

NOTIFICATION DATE

DELIVERY MODE

11/13/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

Office Action Summary	Application No. 10/584,855	Applicant(s) GUIDETTI, PASCAL	
	Examiner JOHN COGILL	Art Unit 3782	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6/28/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear how the arm is able to be “moving” if it is fixed in the position; there are not two positions described which it is moving between.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 6-8, 10, 12, and 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 921,900 to Shuster (Shuster).

With regard to claim 1, Shuster discloses an object holder comprising a support (5); fixing means (35) enabling the support to be carried by a user; an arm (17) mounted on the support so as to be mobile between multiple positions and having receiving means (13) for part of an object able to be stored in any position; and means (14, 16) for locking the object carried by the arm.

With regard to claim 2, the arm (17) is mounted pivotably (via ball joint 24).

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With regard to claim 3, the arm (17) is mounted slideably (via track 11).

With regard to claim 6, the locking and holding means (14, 16) comprises means (spring steel, page 1 lines 63-65) for elastic coupling of the object to the support (via the arm).

With regard to claim 7, the locking means comprises at least one fork (14, 14) which is elastic (spring steel, page 1 lines 63-65).

With regard to claim 8, the receiving means (13) comprises a passage (Figs. 1, 2).

With regard to claim 10, the receiving means comprises means (16) for elastic locking.

With regard to claim 12, the fixing means (25) comprise means (42, 31) for fixing on a backpack.

With regard to claims 18-19, the locking means (14, 16) comprise means (14, 14, Fig. 3) for elastic (spring steel) coupling of the object to the support.

5. Claims 1-3, 5, 9, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,887,771 to Perry (Perry).

With regard to claim 1, Perry discloses a support (20), fixing means (28), an arm (23) mounted on the support so as to be mobile between positions (pivoting and sliding, col. 5, lines 8-10), having receiving means (26) allowing the object to be carried in any of the positions, and means (clip 170) for holding said arm in the storage position.

With regard to claim 2, the arm (23) is mounted pivotably (via 160).

With regard to claim 3, the arm (23) is mounted slideably (via 150).

With regard to claim 5, the locking and holding means couple the arm to the support.

With regard to claim 9, the receiving means (26) comprises a platform (52).

With regard to claim 11, the arm (23) is articulated (Fig. 10) on the support (20) on a vertical rod (168); the arm extends rearward of the user to the degree claimed (see 35 USC 112 rejection above).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, 13-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry in view of US Patent No. 4,449,750 to Pultman (Pultman).

With regard to claims 4 and 13-17, Perry discloses substantially the invention, wherein the arm (23) couples (via clip 170) to the support (166 on 20), but is silent as to whether the clips allow for elastic coupling.

Pultman discloses a similar carrier (32) mounted to a similar support (22) by means of elastic coupling (spring clips 25, 25'). Complementary parts (arms of each clip, as in Fig. 1) couple together elastically.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the clips of Perry with the resilient clips of

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Pultman to provide for a resilient, easily removable connection between a carrier and support.

With regard to claim 20, the objects are elastically coupled to the support (via spring-loaded arms 46 with 52).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN COGILL whose telephone number is (571)270-7458. The examiner can normally be reached on Monday through Friday, 9:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. C./

Examiner, Art Unit 3782

/Nathan J. Newhouse/

Supervisory Patent Examiner, Art Unit 3782